

REMARKS

Claims 1-11 are pending. By this Amendment, claim 3 is canceled and claim 1 is amended.

Claim 1 has been amended to incorporate the limitation that “the first and second conductive layers and the first and second electrodes are arranged so that the first conductive layer and the second electrode face each other with interposing the resistance element therebetween, and the second conductive layer and the first electrode face each other with interposing the resistance element therebetween.” This claim amendment incorporates the limitation previously contained in claim 3, but replaces the phrase “are substantially opposite to” with the word “face.” Support for this amendment is found in paragraph 46 of the application as published (“electrically connected so that the first conductive layer 20a and the second electrode 70 faced to each other as well as the second conductive layer 30a and the first electrode 60 faced to each other may have opposite polarities”) (emphasis added), and as shown in Figs. 4 and 7.

In rejecting claim 3, the Examiner noted that U.S. Pat. No. 5,852,397 to Chan, U.S. Pat. No. 5,831,510 to Zhang, and U.S. Pat. No. 6,172,592 to Inoue disclose electrodes and layers that are “substantially opposite where the term is broad, and where one can draw a straight line through the resistance element through the device from the first conductive layer to the second electrode layer.” (Emphasis added.)

As amended, claim 1 overcomes the Examiner’s rejections, since the Chan, Zhang, and Inoue references do not disclose electrodes and layers such that “the first conductive layer and the second electrode face each other with interposing the resistance element therebetween, and the second conductive layer and the first electrode face each other with interposing the resistance element therebetween.”

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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